

FISCAL MEMORANDUM

HB 4106 – SB 4150

March 12, 2008

SUMMARY OF AMENDMENT (015152): Creates a Class E felony offense for a probation and parole officer to engage in sexual contact, consensual or non-consensual, with a probationer or parolee who is under such officer's supervision.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Expenditures - \$6,900/Incarceration*

FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

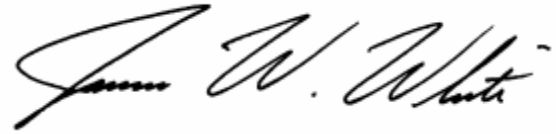
Assumptions applied to amendment:

- According to the Board of Probation and Parole (BOPP), since 2002, a total of six probation and parole officers have been terminated for sexual contact with an offender under the supervision of the Board. Of those six terminations, one former employee was convicted and sentenced.
- The Department of Correction (DOC) is estimating that one probation and parole officer per year will be convicted of sexual contact with an offender under the Board's supervision and will serve 0.3 years (109.58 days) as a result of this bill. According to DOC, the average operating cost per inmate per day for calendar year 2008 is \$62.78. The cost per inmate at 0.3 years is \$6,879.43 (\$62.78 x 109.58 days).
- No significant incarceration cost increase will occur due to population growth in this period.
- Any impact on caseloads for the state trial courts can be accommodated within existing resources. Any increase in expenditures for the BOPP as a result of this bill is estimated to be not significant.

**Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is written in a cursive style with a large, stylized "J" and "W".

James W. White, Executive Director

/lsc